

## **MEMORANDUM**

TO: Members, State Board of Education

FROM: Dr. Patti Harrington  
State Superintendent of Public Instruction

DATE: April 4, 2008

ACTION: Differentiated Accountability Under No Child Left Behind (NCLB)

**Background:** On March 18, 2008, the USOE was notified by the U.S. Department of Education that it would allow greater flexibility in determining the consequences for schools that did not meet Adequate Yearly Progress (AYP). Currently, whether a school misses AYP goals by one or two factors, or misses goals by several factors, all schools that miss AYP are treated the same in terms of noted “failure to meet AYP” and in terms of available consequences.

The new flexibility will be granted to only 10 states, with priority given to those states that have 20% or more schools in “school improvement” (having missed AYP goals in more than one successive year). Utah has only 5% of its schools in school improvement.

**Anticipated Results:** The Board will determine whether or not to apply for the additional flexibility and also gauge the possible impact that SB162 now has on the federal planning process.

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